AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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WHOLE NO. 927. WILLIAM GREEN, President WASHINGTON, D. C., SATURDAY, JANUARY 12, 1929. FRANK MORRISON, Secretary VOL. 18, NO. 44.

The A. F. of L. Weekly News Service gives a brief summary of important matters affecting labor, occurring in the industrial, legislative and judicial fields, and such other information that will benefit the trade union movement.

Follow your honest convictions and be strong.—Thackery.

LABOR INJUNCTION IS ANTI-UNIONISTS' PRINCIPAL WEAPON

The labor injunction is the first line of attack to control workers.

It is the axis around which every anti-union movement revolves.

The issue plumbs to the foundation of autocracy which honeys workers with sympathetic phrases and assures other citizens by dire predictions if the government is not placed at their disposal.

The labor injunction protects the company "union" and the "yellow dog." It compels trade unionists to work against their will Dupreme Court's decision in Bedford cut stone cases).

Workers are applauded when they become interested in harmless issues or organize sick and death benefit associations. If they join a trade union, autocracy shows its teeth. They are then opposed by every power at the command of those who give lip service to the principles of democracy.

The labor injunction ranks first as the weapon of offiunce against workers.

Occasionally, in an incautious moment, a spokesman for privilege acknowledges this fact. When asking Federal Judge Wilkerson in 1922 for an injunction against striking railroad shop men, Attorney General Daugherty said:

"But it may be understood that so long and to the extent that I can speak for the government of the United States, I will use the power of government to prevent labor unions of the country from destroying the 'open' shop."

Daugherty, an official of the government, sworn to enforce the law, gave notice that the Department of Justice was at the disposal of anti-union employers to check workers from bargaining collectively.

Daugherty well knew that the shop men were striking for wages and working conditions. He aided the railroad managers by confusing the issue and imposing on a credulous public that the injunction could be illegally used.

Daugherty's views were recently affirmed by L. A. Lamfrom, attorney for the Wisconsin Manufacturers' Association, who opposed injunction relief before the Senate committee. This attorney said:

"The injunction, futile and ineffective as it often is, stands as the only bar against the closing of all shops and the complete unionization of industry."

Nothing could be plainer than the Daugherty-Lamfrom statements. These attorneys frankly avow that the purpose of the labor injunction is to maintain conditions for slavery.

Sworn to uphold law, they would be a party to destruction of government by law and enthrone equity judges who are unhampered by law, unchecked by rule and who are guided by their conscience.

It is the duty of trade unionists to face the fundamental purpose of the labor injunction. This purpose may be concealed by every art that cunning wit can devise, but there it stands, in grim reality.

Trade unionists should smash the net of technicalities that employers' attorneys have woven to befog this question.

Pleas "for the protection of property" are red herrings that would detract attention from the main issue.

Statutory laws without number, together with the police power of the state, are at the disposal of any citizen who has the fantiest suspicion that his life or property are endangered.

Constant agitation will expose the trickery of anti-union employers and their agents. The workers should also appeal to the enlightened self-interest of citizens generally by pointing to the ultimate result of one-man government that the few would fasten on America at the cost of government by law.

High-Handed Legislative Methods Block Relief For Federal Workers

Washington, Jan. 12.—"Reaction at its worst" is the term used by Thomas F. Flaherty, secretary-treasurer National Federation of Post Office Clerks, in describing how the passage of legislation beneficial to federal employes is blocked.

In sidetracking the 44-hour week, Mr. Flaherty says the "sharp and devious methods employed reflect no credit on House leadership."

Congressman Snell of New York, chairman of the Rules Committee, has been instructed by his committee to report a rule that would permit the House to consider the Dale-Lehlbach retirement bill.

"He refuses to carry out the mandate of his committee and seemingly the House is without authority to force his hand. He is deaf to all appeals and non-committal in his promises for future action," said Mr. Flaherty.

Congressman Archie Sanders of New York is acting chairman of the House Post Office Committee, which decided on December 11 to meet on December 14. Meanwhile a subcommittee agreed to make a favorable report on the La Follette-Mead 44-hour bill, and Mr. Sanders ignored all parliamentary rules and took it upon himself to notify the committee that "it was deemed advisable" to postpone the December 14 meeting of the committee. A majority of the committee filed a written request with the acting chairman that a meeting be held on December 18. Mr. Sanders ignored the request.

The House leaders have turned this man down on Congressman Wyld Kelly's bill, which would credit the Post Office Department with work done for other departments.

"These acts of suppression are said to be in accord with an understanding between House leaders and the President," said Mr. Flaherty. The union official denied the right of the chief executive to sit in judgment on proposed legislation.

"The American people are our employers, and Congress, acting for the people, is the only agency to which we can directly appeal. When a small group of individual leaders temporarily entrusted with power, denies to the entire House its right to consider our propositions they make a mockery of our right of petition to Congress.

"Two months yet remain of the Seventieth Congress, during which time we will not cease our agitation in behalf of retirement and the 44-hour week legislation.

"The administration leaders have not won a victory—they have merely postponed their defeat."

A FRANK OPPONENT

John E. Edgerton, president of the National Association of Manufacturers, objects to President Green's statement that "the organized labor movement cannot be limited."

The "house of have" abhors discontented workmen. The one unpardonable sin in the eyes of industrial autocrats is to inspire wage workers to a higher and better life through education, organization and agitation.

To block this development Mr. Edgerton and his kind favor the labor injunction, the "yellow dog" and individual bargaining, which they insist on calling the open (?) shop.

The manufacturers' executive would place no limit on the aspirations of other groups of citizens. Every advance by them are pointed to as proof that America is the land of unrivaled opportunities.

But workers, however, must remain contented; they must recognize superior (?) persons.

There is not a fruitful field in this country for education on fundamental democracy.

FLAG WAVERS AT OLD TRICK

Cossack advocates in Missouri are resorting to the old trick of shouting for "law and order" and waving the Star-Spangled Banner.

The bill would permit the governor to appoint the superintendent of Cossacks, who would supersede police authorities of various communities.

Attorney General Shartel is urging this system. In a recent speech he declared that any one who objects to the Cossacks is against law and order.

"If there be such in this country they should return to Russia," said the attorney general, who declared that "the bankers, lawyers and newspapers throughout the state have indorsed the constabulary."

"Only those who want to oppose law, oppose this bill," said the attorney general.

This has a familiar sound. It is used by labor injunction defenders, who insist that labor demands a license to violate law when it opposes one-man government.

CONGRESS IS BLAMED FOR INJUNCTION WRIT

Washington, Jan. 12.—Section 4 of the Sherman anti-trust law equips equity courts with the ancient powers of star chamber days, Senator Norris, who set up one-man government, according to Andrew Furuseth, president International Seamen's Union, writing in American Federationist, current issue.

The Sherman law, in section 1, declares illegal "every contract, combination in the form of trust of otherwise, or conspiracy in restraint of trade." Section 4 of the act empowers federal district attorneys, under direction of the attorney general, "to institute proceedings in equity to prevent and restrain such violations." The Clayton amendments to this law permit any individual to institute such proceedings.

Mr. Furuseth insists the theory that labor injunction judges usurp their power. He insists that these judges are acting under a law passed by Congress which turns over to equity the power to enjoin an alleged criminal act or punish such act, rather than have action taken by a court of law with all the guarantees that are thrown around the accused.

This action by Congress was referred to by Associate Justices Brandeis and Holmes of the Supreme Court in their minority decision in the Bedford cut stone case, when they said:

"If, on the undisputed facts of the case, refusal to work can be enjoined, Congress created by the Sherman law and the Clayton act an instrument for imposing restraints upon labor which reminds of involuntary servitude."

"The courts have read into the law when it applies to corporations that the condition does not come under the law if it be reasonable," said Mr. Furuseth. "There can be no equality before the law when the employer is governed by statute law and the employes are governed by equity or criminal power. Such arrangement necessarily means the restoration of the star chamber to power in place. If these facts were generally understood, the remedy would come easily and quickly."

FATHER OF 8-HOUR RAILROAD ACT DIES

New York, Jan. 12.—William C. Adamson, former Georgia Congressman, who sponsored the basic eight-hour railroad act named for him, died of pneumonia in a local hospital. He was 74.

The Adamson bill was rushed through Congress and signed by President Wilson in record time to avoid a strike of the four railroad transportation brotherhoods that was set for September 4, 1916.

President Wilson failed to secure an adjustment from the railroad managers that would provide for the basic eight-hour day and he forwarded a message to Congress on August 29, 1916, in which his plan was outlined. A bill containing these features was introduced by Congressman Adamson, chairman of the House Interstate Commerce Committee, and was passed by the House on September 1. The Senate approved the bill the following day and it was signed by the President on September 5, the intervening days being Sunday and Labor Day.

Numerous injunctions were secured by railroad managers restraining the government from enforcing the law, and the following March 19th the law was upheld by the United States Supreme Court by a 5 to 4 vote.

A few hours before the court announced its opinion, the railroad managers and representatives of the four brotherhoods adjusted their differences in New York. The settlement included eight-hour day and overtime, as provided in the Adamson law.

Opponents of the workers shrieked that it was "legislation from a Congress," but the records show that the workers did not ask for the law, and that they insisted that the railroads could grant the demand without rate increases. The railroads' final acceptance of their demands and later developments upheld these claims.

Mr. Adamson resigned from Congress in 1917 after serving continuously for eleven terms. He was appointed by President Wilson as a member of the United States Customs Court.

EXTEND FRONTIERS OF TRADE UNIONISM

Washington, Jan. 12.—"Extend the frontiers of trade unionism," says President Green, in a spirited call to trade unionists everywhere to vitalize the New Orleans convention declaration that the A. F. of L. membership be doubled this year.

In a letter to A. F. of L. representatives and organizers, President Green urges special effort to "arouse interest among the officers and members of our movement with whom you come in contact and to point out to our members everywhere that non-union workers must be brought into association and cooperation with the trade union movement if wage standards and conditions of employment are to be raised to a still higher level."

In his letter to city central bodies, President Green calls attention of these organizations to their responsibility of leadership within their jurisdiction.

"The Executive Council," he says, "urges every central labor union to inaugurate and carry through a sustained organizing campaign during the entire year. This will not be difficult should each person assume responsibility for securing an additional union member. Responsibility for advancing the cause of unionism rests upon every trade unionist, as well as every union organization. It is of vital importance that we extend the frontiers of unionism during the coming year.

"I hope you will consider plans for inaugurating this organizing campaign at the next meeting of your central labor union. When you have completed plans, will you please write me details."

COMPANY "UNION" FAILS

New York, Jan. 12.—Employes of the Vulcan Thread Manufacturing Company, Manchester, N. H., agree that the company "union" of this textile corporation has misled the company to better control the workers," says Horace A. Riviere, organizer United Textile Workers, in his monthly report.

SPIDERS IN LABOR MOVEMENT WEAVE COBWEBS TO CONFUSE

New York, Jan. 12.—"There are spiders in the labor movement who weave cobwebs over the workers' eyes," said E. Edwards, British Trades Union Congress fraternal delegate to the A. F. of L. convention.

Mr. Edwards and his colleague, James Marchbank, were guests of the joint board of the International Ladies' Garment Workers' Union, prior to their return home.

"Your difficulties," said Mr. Edwards, "are to a great extent identical with those of the workers of Great Britain, but the results are somewhat different. We, too, have suffered from internal strife, disruption and dissension, but in our case it did not cause such proportions as we found in some parts of this country.

"Your industrial condition is somewhat different from yours. You have vast undeveloped territories which afford you the opportunity for further industrial development. Your economic conditions are more favorable than ours, which gives you the advantage over us.

"Before the war we were a manufacturing nation and the surrounding countries purchased our products. But the great interruption that has befallen the entire world forced some of the European countries to develop their own industries, as a result we now have a great army of unemployed whom our industrial field can not absorb. Even in the pre-war period there stood almost 2,000,000, with 5,000,000 depending upon them. It requires a great deal of courage to overcome these difficulties, but we are not downhearted.

"Downhearted people are not fit for the labor movement."

VICTOR KLEIBER DEAD; WAS MOLDERS' OFFICIAL

Cincinnati, Jan. 12.—Victor Kleiber, for 20 years secretary of the International Molders' Union, died in this city after several months' illness at the age of 72.

The funeral was attended by a large number of trade unionists. William Green, president A. F. of L., was represented by Organizer Duffy. The Metal Trades Department, A. F. of L., was represented by Secretary-Treasurer John P. Frey.

Victor Kleiber was elected assistant secretary of the International Molders' Union in 1903, and secretary in 1909. Prior to this he was business agent for St. Louis molders.

He is survived by a widow, and a son and daughter, both married. He was immensely popular among his associates and his circle of friends was large and varied.

PROFITS ARE FILCHED BY GREEDY DIRECTORS

Washington, Jan. 12.—Corporations can not evade the income tax by voting large blocks of profits to boards of directors, according to a ruling by the United States Supreme Court. The suit indicates how profits can be concealed while workers are urged to buy stock.

The decision was made in the case of the Botany Worsted Mills, of Passaic, N. J., which appealed from the Internal Revenue Commissioner's ruling that the amounts were "unreasonable."

It was shown that in 1917 the company paid $1,565,739 as compensation to members of its board of directors in addition to the salary of $9,000 paid to each.

In upholding the government, the Supreme Court declared that "the findings raise a strong inference that the unusual and extraordinary amount paid to the directors was not in fact compensation for their services, but merely a distribution of a fixed percentage of the net profits that had no relation to the services rendered."

EIGHT-HOUR WORKDAY FOR PRIVATE BUSINESS

Washington, Jan. 12.—An eight-hour work day for men employed in private establishments in the District of Columbia is provided in a bill introduced by Senator Brookhart. Certain portions of the 1914 eight-hour law for women in the District of Columbia would be applied to the measure.

The bill provides that no male person could be employed in any manufacturing, mechanical or mercantile establishment, or hotel, restaurant, telephone or telegraph establishment, or in any office of the District of Columbia or transportation company in the District of Columbia for more than eight hours in any one day for its employes.

The bill would permit not more than four hours a day overtime, on condition that overtime payments would be at the rate of one and one-half times the regular rate.

WANTS PAY LAW EXTENDED

Salem, Ore., Jan. 12.—The state law that workers' pay days shall be twice a month should be extended to all workers, declared Charles H. Gram, state labor commissioner, in his biennial report.

GARMENT WORKERS UNITE

Denver, Jan. 12.—Several hundred employes of the Michael Heller Tailoring Company organized and are covered by the United Garment Workers.

NEW YORK UNIONISTS HAVE LEGISLATIVE PLAN

Albany, N. Y., Jan. 12.—Organized labor in this state have prepared an extensive legislative program which the General Assembly will be urged to adopt. Whenever possible the bills will have a bi-partisan sponsorship, and will be introduced in one house by a Republican and in the other by a Democrat.

The program includes establishment of an unemployment fund for workmen's compensation and the placing of all disability through occupational disease in the compensation list.

Other proposals are:

Ratification of the child labor amendment to the Federal Constitution. Regulation of private fee-charging employment agencies. Restoration to cities of control over fares and rates of street railways, bus lines and other public utilities. State ownership and development of the state's hydro-electric resources.

Legal provision to declare that the eight-hour day and prevailing rate of wage laws shall apply to all improvements or construction work financed by public money.

A constitutional amendment to permit voters to initiate constitutional amendments without legislative sanction. Preparation of a complete program of public improvements as a step toward preventing unemployment.

A declaration by law that the labor of human beings is not a commodity or article of commerce.

Provision that no injunction shall be issued in a labor dispute without trial of the facts and jury trials for alleged violation of injunctions.

OPPOSE CHILD LABOR

Cheyenne, Wyo., Jan. 12.—Opposition to child labor is a feature of organized labor's legislative program in this state.

The unionists will urge a strengthening of the Wyoming child labor laws and the passage of the Senate joint resolution proposing ratification of the proposed Federal child labor amendment.

An old age pension law and prohibition of dangerous paint-spraying machines are also favored.

TRUST CONTROL OF AIR OBJECTED TO BY LABOR

Washington, Jan. 12.—Unlimited air time for organized labor's radio station WCFL, Chicago, is urged by the Chicago Federation of Labor in a letter to members of the United States Senate.

The plea was inserted in the Congressional Record by Senator Dill, who agreed with Senator McKellar that the document is remarkable.

The trade unionists showed that five great corporations have formed a trust in the air and now make a radio receiving set or operate a broadcasting station in the United States with, but having first purchased the privilege from some or all of this group.

The law provides that the Federal Radio Commission shall grant radio licenses in the "public interest, necessity and convenience."

"What does the radio trust care for 'public interest, necessity and convenience'?" asks the trade unionists. "What they want is to make money, to acquire power and to control in their interest this unparalleled new means of communication.

"Is it in the public interest, necessity and convenience that Bill Jones of Podunk has a radio station to advertise his garage? Or that a great public utility is denied a license to use 60,000-watt station to further its interests?

"The great things of civilization are not sob songs or symphony orchestras. They are matters that have to do with unemployment, with home life, with health, with the standard of living, with great economic and industrial problems that enter into the web and woof of the daily existence of all the people.

"Is it in the public interest, necessity and convenience that all of the 89 channels for radio broadcasting be given to capital and its friends and not even one channel to the millions who toil?"

OIL GRAB BLOCKED; FALL AGAIN UPSET

Washington, Jan. 12.—The United States Supreme Court again reversed former Secretary of the Interior Fall and paved the way for a return of $10,000,000 from the Standard Oil Company of California.

The decision shows why political parties find it easy to raise millions of dollars for campaign funds.

The court's ruling affects oil lands in California which were turned over to that state by the government for school purposes. The government provided that if the lands were mineral bearing title should not go to the state. The Department of the Interior had jurisdiction in this decision. Fall, as secretary of the interior, decided that the lands were not mineral bearing and the oil company secured control of property that later proved to be of priceless value because of oil deposits.

The Senate, on motion of Mr. Walsh of Montana, demanded that an investigation be made. He said the oil company paid a "trivial sum" for the property, and this was supported by the government's contention that $11,000 was paid.

CONVICTS IN COAL MINES MAKE PROFIT FOR STATE

Raleigh, N. C., Jan. 12.—State authorities are happy over the "hand-some profits" turned into the state treasury through the leasing of convicts to coal mine owners.

Deaths of these convicts continue at an alarming rate, but the state labor commissioner suggests that a "technical expert" be employed to assist the experts.

"Trade unionists point out that organized coal miners never ask for "technical experts"—they know, through experience, when mines are dangerous. Fatalities occur in gassed mines or in workings where faulty timbering permits of roof falls.

This protection to life is expensive and convicts are unprotected have no voice in working conditions.

RICH ARE NOT HUNG

San Francisco, Jan. 12.—"The rope is not for the rich," declared Frank J. Smith, warden of San Quentin prison, in urging the abolition of capital punishment. He says it is "absurd" to believe that hanging is a murder deterrent.

"Capital punishment is meted out almost exclusively to the poor and friendless," he said.

DISSENSION IS COSTLY TO ORGANIZED WORKERS

New York, Jan. 12.—"Dissension is chaos and the sweat shop," said Benjamin Schlesinger, president of the International Ladies' Garment Workers' Union, at a mass meeting of cloak makers in this city.

The agreement of these workers expires in June and Communists are aiding employers by activity along dunllist lines.

President Schlesinger described conditions in the shops and also referred to the workers' demoralized state of mind. He warned workers to end the internal war or conditions will become even worse "and the sweat shop in all its ugliness will rule the industry."

OLD-AGE PENSIONS ARE SOCIAL NEED

Oklahoma City, Jan. 12.—An old-age pension law in this state is a social need, declared W. A. P. Murphy, state labor commissioner, in his biennial report.

Complex modern industry, already appalling in Oklahoma, he said, casts aside the aged or incapacitated as a useless economic factor, and charity is inefficient and unsatisfactory.

The measure is needed to keep families together where there are aged dependents whose earning power and prosperity is not sufficient to support them, said the commissioner.

The report declared that the United States is one of the few countries of the world having no adequate provision for their aged and dependent poor.

MUSSOLINI'S THEORY FAVORED IN CHICAGO

Chicago, Jan. 12.—A super-government to end the financial and political chaos this city finds itself in is being considered by local business men.

A number of business leaders, it is stated, have been considering the question for several months, and a meeting of Chicago's prominent citizens may be called in the near future.

It is proposed that experts be drafted from various corporations and that these men be placed in "the strategic points in the city, sanitary and county governments."

Opponents of the plan declare there always has been a super-government in this city, and that the only difference between that system and the new proposal is that the Mussolinis would work in the open.

FIVE-DAY WEEK IN TULSA

Tulsa, Okla., Jan. 12.—Building trade unions and contractors agreed to a six-months' experiment on the five-day week and have signed a contract along these lines.

NEW RATE-RAISING SCHEME IS "GAMBLER'S ARGUMENT"

Washington, Jan. 12.—The only ethical argument in favor of the reproduction cost theory of valuation of public utilities is "a sort of gambler's argument," declared Dr. John A. Ryan, professor of industrial ethics, at Catholic University.

The reproduction cost is based on present-day prices, rather than actual investment. The United States Supreme Court is considering this theory in the Fall River gas rate case, but Dr. Ryan's inquiry was started two years ago when the Supreme Court ruled, in effect, that the Indiana Public Service Commission should increase rates of Indianapolis water users.

If the Supreme Court upholds the reproduction theory the value of all public utilities will be increased and rates will be advanced to pay a "fair return."

"The only bit of silver lining to the clouds," said Dr. Ryan, "is the hope that if the rule of the Indianapolis case receives general application to the public utilities, the people will be compelled to recognize definitely that the policy of regulation has failed. They will realize that the only remedy is in public ownership and operation.

"When that day comes it will witness such deep and widespread resentment that the people will not refuse a proposal to buy out the utilities at inflated value.

"Public utility companies will be well advised if they refrain from carrying their demands for increased valuation so far as to provoke this storm of popular indignation."

In this country, Dr. Ryan said, opposition to capital and a fair rate of interest is "insignificant," and the average man is willing to concede to the owners of capital "that rate of annual return which he himself receives or would like to obtain." It is only "special privilege to certain entrenched forms of capital and investment that the average man resents," said Dr. Ryan.

RETROACTIVE PAY URGED BY SENATOR

Washington, Jan. 12.—Retroactive salary increases for government employes to the level they would have received under the Senate bill last year would be provided for under an amendment to the Welch salary bill, introduced by Senator Brookhart.

The proposal aims to carry out what the Senate advocated when the Welch bill was being written last year, namely, the adding of as many salary steps at the top of each grade as were eliminated at the bottom of the grade.

SHALL TARIFF BE SCREEN FOR DUMMY MANAGERS?

New York, Jan. 12.—A textile tariff should protect American workers against debased European living standards, but it should not screen for incompetent employers, declared Thomas F. McMahon, president of the United Textile Workers.

In every division of the textile industry labor costs per yard is lower than before the war, he said.

"It seems that the higher the tariff on textile imports, the greater the inefficiency among managements and the less the workers receive," said the trade union executive.

"When it is understood that the average wage of 1,500,000 textile workers is less than $20 a week of 52 hours, it is time for serious-minded Americans to take note of the plight of this industry.

"Textile tariffs are not considered from the humane point of view. They have been considered solely from the dollar point of view. Must we prefer an industry to give ease to the few who control it while the producers are forced into peonage, or exile to it?

"It would be better for us to have that portion of our industry that is protected by incompetents go into the discard rather than to make it a feeding place for poverty and degradation.

"The textile industry the last five years has operated under the highest protective law in the history of our country. During this period the workers doubled and trebled their output annually, or nearly so, have had their wages reduced."